

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:21-CV-209-FDW-DCK**

**VAN WARNER and MATTHEW URBAN,** )

**Plaintiffs,** )

**v.** )

**DELI MANAGEMENT, INC.,** )

**Defendants.** )

**ORDER**

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**THIS MATTER IS BEFORE THE COURT** regarding a discovery dispute between the parties. This issue has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Pursuant to Judge Whitney’s “Case Management Order” (Document No. 16, pp. 4-5), the undersigned held a telephone conference on January 26, 2022.

As discussed during the telephone conference, the undersigned finds that the Rule 30(b)(6) deposition of Defendant, originally scheduled for January 14, 2022, shall be reconvened. Defendant shall provide one or more deponents prepared to address Topics 2, 3, and 4 identified by Plaintiff in the Notice of Deposition. Defendant’s 30(b)(6) testimony may be taken for up to a total of **six (6)** more hours. The parties shall reconvene the 30(b)(6) deposition(s) as soon as practical.

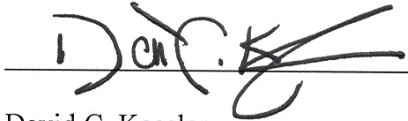
To the extent the parties have additional discovery disputes, counsel must work in good faith with each other to resolve such disputes without Court intervention. The parties are respectfully reminded that the discovery deadline has passed and that the mediation and dispositive motions deadlines are imminent. See (Document Nos. 16 and 20).

**IT IS, THEREFORE, ORDERED** that the Defendant's Rule 30(b)(6) deposition shall be reconvened as directed herein and during the telephone conference held on January 26, 2022.

**IT IS FURTHER ORDERED** that the request for costs associated with this dispute are **DENIED WITHOUT PREJUDICE**. The Court may reconsider the issues of costs related to discovery dispute(s) at a later date.

**SO ORDERED.**

Signed: January 26, 2022

  
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David C. Keesler  
United States Magistrate Judge

